IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGEMENT NO.502 OF 2005

In

SUMMARY SUIT NO.3306 OF 2004

Piyush S/o. Kaaushalkumar Agarwal & Anr.: Plaintiffs

V/s.

Mumtaz Sheikh w/o. Mohd. Shafi : Defendant

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Mr.Rakesh Dave i/b. M/s.N.N.Vaishnawa & Co., for the plaintiffs.

None present for the defendant.

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CORAM : S.J.VAZIFDAR, J.

December 6, 2005.

P.C.

1. The suit is filed to recover an amount lent and advanced by the plaintiffs to the defendant.

2. The transaction is evidenced and the suit is based on an agreement in writing dated 29.5.2003 whereby the defendant admitted and acknowledged the receipt of the loan and agreed to repay the same. By the said writing, the defendant agreed to repay the term loan.

3. There was no reply to the plaintiffs' Advocate's letter demanding payment. There is no affidavit-in-reply. There is no defence to the suit.

4. The Summons for Judgement is made absolute and the suit is decreed as prayed for.

5. Refund of Court fees as per rules.

S.J. VAZIFDAR, J.